

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LOWELL RETAIL DEVELOPMENT LLC, Plaintiff, v. EXXON MOBIL OIL CORPORATION, Defendant.	Civil Action No. 1:04-cv-11028
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**DEFENDANT'S ASSENTED TO MOTION TO EXTEND TIME TO ANSWER
THE COMPLAINT AND THE SCHEDULING CONFERENCE**

Defendant, Exxon Mobil Oil Corporation ("ExxonMobil"), hereby moves this Court to extend, until November 22, 2004, the time for ExxonMobil to answer or otherwise respond to the Complaint of the plaintiff, Lowell Retail Development, LLC. In addition, ExxonMobil moves the Court to extend the date of the Scheduling Conference (currently set for October 14, 2004) until November 22, 2004. As grounds for this Motion, ExxonMobil states that the parties have reached a settlement in this litigation and are currently in the process of finalizing drafts of mutually agreeable settlement agreement and releases. The extension is necessary to allow for sufficient time to have the settlement documents executed and the settlement payment issued.

WHEREFORE, ExxonMobil respectfully request that the Court allow this

assented to motion.

EXXON MOBIL OIL CORPORATION

By its attorneys,

/s/ Tara J. Myslinski
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Assented To:
LOWELL RETAIL DEVELOPMENT,
LLC

By its attorneys,

/s/ David Y. Li (Assented To)
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Dated: September 27, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served
by first class mail to David Y. Li, Esq., Posternak Blankstein & Lund LLP,
Prudential Tower, 800 Boylston Street, Boston, MA 02199, this 27th day of
September, 2004.

/s/ Tara J. Myslinski
Tara J. Myslinski